



in Perth Amboy sewage file

September 23, 1946

Dr. J. Lynn Mahaffey
Director of Health

Re: Titanium Pigment Division, National Lead Company
Sayreville, New Jersey

On September 6, 1946 you held a conference upon the matter of the disposal of industrial wastes from the plant set forth in caption. Russell E. Watson, Esquire, attended this conference.

Attached is a "Resolution Of Protest To The Disposal Of ..." wastes from the aforesaid plant, transmitted I believe from the Dover Consolidated Sportsmen, Inc., Dover, New Jersey. Your attention is respectfully called to the last paragraph in the aforesaid preamble and resolution, to wit:

"Finally, be it hereby known that since a storm of protest has been raised by virtually every commercial and recreational fishing organization in both the States of New Jersey and New York as well as by the New York State Conservation Department to the disposal of sulphuric acid solution at sea, it is therefore urgently requested that the United States Fish and Wildlife Service reconsider its present sanction of the disposal of this acid at sea by the National Lead Company, it is further resolved that the New Jersey State Health Department and other appropriate New Jersey State agencies be requested to withhold any legal action in this issue until results of the proposed studies are available."

The Department is in receipt of many similar resolutions and letters which, in my opinion, are inspired - I base such a conclusion upon the text of the letters and resolutions, and, in the belief that the petitioners do not understand the problem under consideration and upon which they resolve.

Under date of August 27, I placed a petition similar to the attached before Russell E. Watson, Esquire, Deputy Attorney General, for his consideration and comment. Under date of August 29 he advised the Department as follows:

"I received your letter of August 27 about the National Lead Company, Titanium Pigment Division, matter.

"I have an intuitive feeling that the Department should not become involved in the controversy about the dumping of acid at sea further than to attend conferences and express its views, when requested.

"Manifestly, the Department should not join a research project as contemplated by the resolution of the Long Island Fisheries Association.

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"Nor can your Department consistently withhold legal action as requested by the resolution.

"It was my understanding that the National Lead Company had received permission to dump its solid at sea and that plans for such disposition were well under way, I think that the Department should proceed with its injunction proceeding and I advise accordingly. At least, the injunction proceeding would force a speedier conclusion of the sea dumping project."

The interested engineers in this Bureau subscribe one hundred per cent to Mr. Watson's opinions and/or suggestions in the matter.

It may be that you will decide to bring the attached resolution before the Board Members for consideration.

Respectfully submitted,

R. P. Croft
Chief Engineer

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